

NOT FOR PUBLICATION

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

COSMETIC WARRIORS LIMITED,	:	
	:	
Plaintiff,	:	Civil No. 17-1475 (RBK/JS)
	:	
v.	:	ORDER
	:	
NAILUSH LLC,	:	
	:	
Defendant.	:	
	:	
	:	

KUGLER, United States District Judge:

THIS MATTER having come before the Court upon Plaintiff's Motion to Grant Default Judgment, Injunctive Relief, and Attorneys' Fees and Costs (Doc. No. 8), and for the reasons in the Opinion also issued this date;

IT IS HEREBY ORDERED that Plaintiff's motion is **GRANTED** and that **JUDGMENT IN THE SUM OF \$1.00** will be entered in favor of Plaintiff, to include attorneys' fees and costs;

IT IS FURTHER ORDERED that Plaintiff shall submit of an affidavit of counsel to this Court pursuant to Local Civil Rule 54.2 for the determination of attorneys' fees;

IT IS FURTHER ORDERED that Defendant is **PERMANENTLY ENJOINED** from:

(a) using any and all labels, signs, packages, wrappers, receptacles, business cards and advertisements, and any other materials in Defendant's possession or control that use the Nailush mark, or any other mark that is confusingly similar to the LUSH mark;

- (b) using the name or trademark Nailush as a company name, trade name, or license to operate, or on any form of advertising, or promotion of the business, including on social media platforms such as Google or Facebook;
- (c) committing any acts calculated to cause the public or others to believe that Nailush's advertised or offered products or services originate from, are associated or affiliated with, or are otherwise sponsored, approved, authorized, or endorsed by Plaintiff; and
- (d) Otherwise infringing on Plaintiff's trademarks;

IT IS FURTHER ORDERED that Plaintiff is authorized to present a true and correct copy of this Order to:

- (a) the State of New Jersey, Department of Law & Public Safety, Division of Consumer Affairs for the purpose of requesting the name Nailush be removed from Cosmetology License Number 32WM00578700;
- (b) the State of New Jersey, Division of Revenue and Enterprise Services for the purpose of requesting that the name Nailush be removed from the name of the entity given the Entity ID 0400720192;
- (c) Facebook.com, Groupon.com, and other social media platforms for the purpose of requesting the name and trademark Nailush be removed from social media platforms with respect to sites, pages, or accounts operated by or on behalf of Defendant;

IT IS FURTHER ORDERED that Defendant shall file with this Court within 30 days after the entry of default judgment and service on Defendant of an injunction a report, in writing and signed under oath, setting forth in detail how Defendant has complied with the injunction, pursuant to 15 U.S.C. § 1116;

IT IS FURTHER ORDERED that should Defendant fail to provide such a written report, or should that report fail to demonstrate substantial compliance with the terms of this Order, Plaintiff may apply to the Court for relief.

Date: 11/06/2017

/s/ Robert B. Kugler
ROBERT B. KUGLER
United States District Judge